

REMARKS

Claims 1-3, 5-23 and 25-28 are pending in this application. This amendment is being filed in conjunction with a Request for Continued Examination

The Amendment to the Specification

The specification is objected to under 35 U.S.C. §132(a). In particular, the Office Action requires cancellation of the term “in the absence of water” as being new matter. While Applicants submit that such matter was implied in the original specification, the specification is amended herein to cancel the phrase to facilitate prosecution.

The Rejections under 35 U.S.C. §112

Claims 1-3, 5-23, and 25-28 are finally rejected under 35 U.S.C. §112, first paragraph.

The Office Action states:

The recitation in claims 1, 14, and 25 “combining a source of an inorganic oxide with an organic complexing and pore forming agent in the absence of water” does not appear to have support in the specification pointed out by the applicant. However, it appears that the applicant has support for the limitation – combining a mixture consisting of a source of an inorganic oxide with an organic complexing and pore forming agent –.

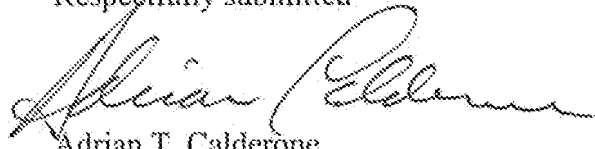
In view of these comments claims 1, 14 and 25 are amended to cancel the phrase “in the absence of water” and recite “combining a mixture consisting essentially of a source of an inorganic oxide with an organic complexing and pore forming agent” as suggested by the Examiner, except that “consisting essentially of” is recited instead of “consisting of”.

It is respectfully submitted that any basis for the rejection has been overcome by this amendment. Reconsideration and withdrawal of the rejection are respectfully requested.

CONCLUSION

For at least the reasons stated above all of the pending claims are submitted to be in condition for allowance, the same being respectfully requested.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Adrian T. Calderone", is written over the typed name.

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